

**DEPARTMENT OF THE INTERIOR****National Park Service****Denali National Park and Preserve Aircraft Overflights Advisory Council**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice of Intent of Establish an Aircraft Overflights Advisory Council.

**SUMMARY:** This notice is published in accordance with section 9(a) of the Federal Advisory Committee Act of 1972 (5 U.S.C. Appendix). Following consultation with the General Services Administration, notice is hereby given that the Secretary of the Interior has formally established the Denali National Park and Preserve Aircraft Overflights Advisory Council to provide advice and recommendations on mitigation of impacts from aircraft overflights at Denali National Park and Preserve.

**FOR FURTHER INFORMATION CONTACT:** Michael J. Tranel, Denali National Park and Preserve, 240 W. 5th Avenue, Anchorage, Alaska, 99501, (907) 644-3611, [Mike\\_Tranel@nps.gov](mailto:Mike_Tranel@nps.gov).

**SUPPLEMENTARY INFORMATION:** The Denali National Park and Preserve Aircraft Overflights Advisory Council has been established in accordance with the Denali National Park and Preserve's *2006 Backcountry Management Plan and EIS*. The plan concluded that air travel is an important means of access for backcountry users, and that scenic air tours are an important means for other park visitors to access and enjoy Mount McKinley and adjoining scenic peaks and glaciers. However, the cumulative impact of these tours, plus the additional aircraft traffic, must be mitigated to protect park resource values and the quality of the visitor experience. The plan calls for an aircraft overflights advisory group that will develop voluntary measures for assuring the safety of passengers, pilots, and mountaineers, and for achieving standards that represent desired future resource conditions at Denali. The National Park Service needs the advice of this group to develop effective mitigation measures that will be acceptable to stakeholders. The Council will be composed of individuals that represent a broad range of interests, including air taxi operators, commercial aviation, local landowners, the State of Alaska, the Federal Aviation Administration, climbers and other parks users, and the environmental community.

*Certification:* I hereby certify that the administrative establishment of the Denali National Park and Preserve Aircraft Overflights Advisory Council is

necessary and in the public interest in connection with performance of duties imposed on the Department of the Interior by the Act of August 25, 1916, 16 U.S.C. 1 *et seq.*, and other statutes relating to the administration of the National Park System.

Dated: September 4, 2007.

**Dirk Kempthorne,**

*Secretary of the Interior.*

[FR Doc. 07-5045 Filed 10-11-07; 8:45 am]

**BILLING CODE 4310-PF-M**

**DEPARTMENT OF THE INTERIOR****National Park Service****Cape Cod National Seashore Hunting Program, Final Environmental Impact Statement, Cape Cod National Seashore, Massachusetts**

**AGENCY:** National Park Service, Department of Interior.

**ACTION:** Notice of availability of a Record of Decision on the Final Environmental Impact Statement for the Cape Cod National Seashore Hunting Program, Cape Cod National Seashore.

**SUMMARY:** Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 83 Stat. 852,853, codified as amended at 42 U.S.C. section 4332(2)(c), the National Park Service announces the availability of the Record of Decision for the Final Environmental Impact Statement (FEIS) for the Cape Cod National Seashore Hunting Program, Cape Cod National Seashore, Massachusetts. On September 18, 2007, the Regional Director, Northeast Region approved the Record of Decision for the project. As soon as practicable, and as described in the Record of Decision, the National Park Service will begin to implement the Preferred Alternative contained in the FEIS issued on August 10, 2007. The following course of action will occur under the preferred alternative. Cape Cod National Seashore will increase hunting opportunities for native upland game bird species; apply adaptive management to phase out the pheasant stocking and hunting program; simplify and clearly delineate hunting areas and increase the "no-hunting" safety buffers along bike paths; expand hunting-related outreach to hunting and non-hunting users; and undertake cooperative monitoring and management of game species. This course of action and two alternatives were analyzed in the Draft and Final Environmental Impact Statements. The full range of foreseeable environmental consequences was assessed.

The Record of Decision includes a statement of the decision made, synopses of other alternatives considered, the basis for the decision, a description of the environmentally preferable alternative, a finding on impairment of park resources and values, and an overview of public involvement in the decision-making process.

**FOR FURTHER INFORMATION CONTACT:** Superintendent, Cape Cod National Seashore, 99 Marconi Site Road, Wellfleet, Massachusetts, 02667. Telephone: (508) 349-3785, Fax: (508) 349-9052. E-mail: [CACO\\_Superintendent@nps.gov](mailto:CACO_Superintendent@nps.gov).

**SUPPLEMENTARY INFORMATION:** Copies of the Record of Decision may be obtained from the contact listed above or online at <http://parkplanning.nps.gov>.

Dated: September 18, 2007.

**Dennis R. Reidenbach,**

*Regional Director, Northeast Region, National Park Service.*

[FR Doc. 07-5050 Filed 10-11-07; 8:45 am]

**BILLING CODE 4312-52-M**

**DEPARTMENT OF JUSTICE****Notice of Lodging Of Consent Decree Under The Comprehensive Environmental Response, Compensation, and Liability Act**

Notice is hereby given that on October 2, 2007, a proposed Consent Decree in *United States and State of Oklahoma v. 3M Company*, Case No. 5:07-cv-1079, was lodged with the United States District Court for the Western District of Oklahoma.

The proposed Consent Decree resolves claims alleged by the United States, on behalf of the United States Environmental Protection Agency ("EPA"), and the United States Department of the Interior ("DOI"), against the 3M Company, under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.* The claims were alleged in a Complaint filed with the Court on September 25, 2007 which sought to recover response costs incurred and to be incurred and natural resource damages at the Double Eagle Superfund Site in Oklahoma City, Oklahoma. The Consent Decree also resolves similar claims alleged in the Complaint by the State of Oklahoma. The proposed Consent Decree provides that the 3M Company, which sent approximately 3000 gallons of hazardous substances to the Site for disposal, will pay the United States and the State of Oklahoma \$50,000 in

response costs and natural resource damages. The Consent Decree represents a settlement with the 3M Company as a *de minimis* party pursuant to section 122 of CERCLA, 42 U.S.C. 9622.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and State of Oklahoma v. 3M Company*, D.J. Ref. No. 90-11-2-857/3.

During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web Site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the proposed Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$7.50 (25 cents per page reproduction cost) payable to the "U.S. Treasury" or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Thomas A. Mariani, Jr.,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice.*

[FR Doc. 07-5034 Filed 10-11-07; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on September 27, 2007, a proposed Partial Consent Decree ("Consent Decree") in *United States v. Afton Chemical Corp., et al.*, Case No. 3:06-cv-763 ("Afton Chemical"), was lodged with the United States District Court for the Southern District of Illinois.

In *Afton Chemical*, the United States is seeking recovery of approximately \$3.5 million in response costs incurred in connection with a removal action in

1999 and 2000 ("Removal Action") at Sauget Area 2, Southern Site Q, in Cahokia, Illinois. The proposed Consent Decree involves the following two defendants in the case: The Estate of Paul Sauget and the Estate's executor, in her representative capacity vis-à-vis the Estate (collectively, the "Estate Settling Defendants"). The proposed Consent Decree is based on the Estate Settling Defendants' limited ability to pay, as determined by a Department of Justice financial analyst. Under the proposed Consent Decree, a stipulated judgment will be entered against the Estate Settling Defendants in the amount of \$351,000; the Estate Settling Defendants will pay \$1.00 toward that stipulated judgment, based on their limited ability to pay; and they will be required to seek the balance of the stipulated judgment from the Estate's insurers. In exchange, the Estate Settling Defendants will receive contribution protection and a covenant by the United States not to sue them for response costs incurred in connection with the Removal Action.

For a period of 30 days from the date of this publication, the Department of Justice will receive comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Afton Chemical Corp., et al.*, D.J. Ref. 90-11-2-06089/1. Comments should either be e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, Washington, DC 20044-7611.

The proposed Consent Decree may be examined at the Office of the United States Attorney, 9 Executive Drive, Fairview Heights, IL 62208-1344, and at the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, IL 60604-3590. During the public comment period, the proposed Consent Decree may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the proposed Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by e-mailing or faxing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax number (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$6.00 (25 cents per page reproduction cost) payable to the United States Treasury. If a request for a copy of the proposed Consent Decree is made by fax

or e-mail, please forward a check in the aforementioned amount to the Consent Decree Library at the address noted above.

**William Brighton,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 07-5026 Filed 10-11-07; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Settlement Agreement Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

Notice is hereby given that on September 28, 2007, a proposed Settlement Agreement Regarding the El Paso County Metals Survey Site was filed with the United States Bankruptcy Court for the Southern District of Texas in *In re Asarco LLC*, No. 05-21207 (Bankr. S.D. Tex.). The proposed Agreement entered into among the United States on behalf of the Environmental Protection Agency, State of Texas, and Asarco LLC ("Asarco") provides, *inter alia*, that the United States shall have an allowed general unsecured claim of \$13,280,780 and the State of Texas shall have an allowed general unsecured claim of \$419,220 for past response costs for the El Paso County Metals Surveys Site incurred prior to May 1, 2007.

The Department of Justice will receive comments relating to the proposed Agreement for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *In re Asarco LLC*, DJ Ref. No. 90-11-3-08633.

The proposed Agreement may be examined at the Office of the United States Attorney for the Southern District of Texas, 800 North Shoreline Blvd, #500, Corpus Christi, TX 78476-2001, and at the Region 6 Office of the United States Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202. During the public comment period, the proposed Agreement may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the proposed Agreement may also be obtained by mail from the Consent